

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Matthew Toney Jackson**

**Docket No. 5:16-CR-91-1H**

**Petition for Action on Supervised Release**

COMES NOW Dewayne L. Smith, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Matthew Toney Jackson, who, upon an earlier plea of guilty to Possession of a Firearm by a Convicted Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2), was sentenced in the Middle District of North Carolina by the Honorable Catherine C. Eagles, U.S. District Judge, on November 24, 2014, to the custody of the Bureau of Prisons for a term of 24 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Matthew Toney Jackson was released from custody on February 5, 2016, at which time the term of supervised release commenced. On February 25, 2016, a Violation Report was submitted to the Middle District of North Carolina advising that Jackson tested positive for marijuana on February 10, 2016, which was confirmed through laboratory analysis on February 21, 2016. The defendant signed an admission of drug use form, was verbally reprimanded for this drug use, and was counseled about his actions. The probation officer recommended to continue supervision and requested to transfer jurisdiction. On April 8, 2016, jurisdiction was transferred to the Eastern District of North Carolina.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On April 9, 2016, the defendant tested positive for marijuana, which was confirmed through laboratory analysis on April 17, 2016. During a home inspection on April 21, 2016, Jackson admitted to using marijuana on April 7, 2016, and he signed an admission of drug use form. The defendant has been referred to outpatient substance abuse counseling. As a sanction for this violation, we are recommending that he serve 5 days in jail. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

The defendant shall be confined in the custody of the Bureau of Prisons for a period of 5 days as directed by the probation officer and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

**Matthew Toney Jackson**  
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Reviewed and approved,

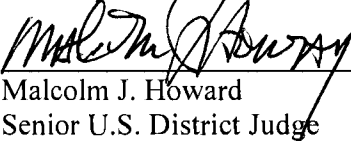
I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Dewayne L. Smith  
Dewayne L. Smith  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: 252-830-2338  
Executed On: April 26, 2016

**ORDER OF THE COURT**

Considered and ordered this 26<sup>th</sup> day of April, 2016 and ordered filed and  
made a part of the records in the above case.

  
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Malcolm J. Howard  
Senior U.S. District Judge